

REMARKS

Applicant respectfully requests allowance of the subject application. Claims 56-66 and 68-69 are pending. Claims 60 and 68 are amended.

35 U.S.C. §102(e)

Claims 56-59 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,778,181 to Hidary et al. (hereinafter "Hidary"). Applicant respectfully traverses the rejection.

Claim 56 recites a method for enhancing a continuous video content program with supplemental hyperlink content to provide viewer interactivity with the video content program. The Office first asserts Hidary at column 3, lines 55-58, column 5, lines 7-12, and column 6, lines 1-9 for disclosing "configuring digital data to define multiple display layouts: each prescribing how the supplemental hyperlink content and the video content program are to appear in relation to one another when displayed". The portions of Hidary asserted by the Office are excerpted as follows:

After a video program is created, uniform resource locators are embedded, preferably, into the vertical blank interval of the video programming by the URL encoder 8, shown in FIG. 1. *Hidary, Col. 3, Lines 55-58.*

The client software retrieves URLs from the video program, interpret these URLs and direct the JAVA enabled browser to retrieve the particular relevant web pages, and synchronizes the retrieved Web pages to the video content for display, as shown in FIG. 3 and explained in more detail below. *Hidary, Col. 5, Lines 7-12.*

As the video is received by the PC 16, URLs are being extracted from the vertical blanking interval and are being interpreted by the client software. Upon direction and

1 command, the JAVA enabled browser retrieves particular
2 Web pages from Internet 20 Web sites identified in the URLs.
3 These Web pages will then be displayed on the video screen
4 at particular times. *Hidary, Col. 6, Lines 1-9.*

5 As shown in the above excerpts, Hidary describes retrieval of web pages which are
6 identified in a vertical blanking interval by the client software. However, Claim
7 56 recites and "transmitting the digital data and the video content program to a
8 viewer computing unit" in which the "digital data [is configured] to define
9 multiple display layouts". Hidary does not disclose, teach or suggest configuring
10 and transmitting the digital data as recited in Claim 56. Further, although the
11 Office asserts column 4, lines 12-17 and the local PC 16 in figure 2 for
12 "transmitting the digital data and the video content program to a viewer computing
13 unit", this section merely describes transfer of a program, and makes no mention
14 whatsoever of transfer of the digital data to define "multiple display layouts" as
15 recited in Claim 56.

16 The Office then asserts Hidary as disclosing "displaying the supplemental
17 hyperlink content and the video content program according to the display layout",
18 the portion of Hidary asserted by the Office is excerpted as follows:

19 These Web pages will then be displayed on the video screen
20 at particular times. Thus, for example, while the viewer is
21 watching the music video, biographical information on the
22 band can also be displayed adjacently to the video window.
23 *Hidary, Col. 6, Lines 9-11.*

24 As shown in this above excerpt, however, Hidary merely describes showing a Web
25 page with a music video. Hidary does not disclose, teach or suggest that such
display is performed "accordingly to the display layout" which is transmitted to
the viewer computing unit as recited in Claim 56.

1 The digital data of Claim 56 prescribes "how the supplemental hyperlink
2 content and the video content program are to appear in relation to one another
3 when displayed". Claim 56 then transmits "the digital data and the video content
4 program to a view computing unit". Hidary, however, describes a URL to a
5 location of where to obtain content. The URL of Hidary does not describe "how
6 the supplemental hyperlink content and the video content program are to appear in
7 relation to one another when displayed". Indeed, Hidary describes that the
8 "client software retrieves URLs from the video program, interpret these URLs and
9 direct the JAVA enabled browser to retrieve the particular relevant web pages, and
10 synchronizes the retrieved Web pages to the video content for display". *Hidary,*
11 *Col. 5, Lines 7-12*. Thus, Hidary does not disclose, teach or suggest that this
12 transmitted digital data which describes the relationship of "how the supplemental
13 hyperlink content and the video content program are to appear in relation to one
14 another when displayed".

15 The Office also asserts that "each time a viewer selects a different web
16 page, different information is displayed (see Column 6, lines 4-24 for displaying
17 different types of web pages) and therefore the display layout is dynamically
18 changed in response to a viewer selection". *Office Action Dated December 29,*
19 *2005, Page 6*. It is respectfully submitted that the Office has misinterpreted this
20 feature. According to the Office's assertion the different web page themselves
21 may include different information. However, Claim 56 recites the relationship of
22 the supplemental hyperlink content to the video content program, which is not
23 disclosed, taught or suggested by Hidary.

24 Accordingly, for at least these reasons, Claim 56 is not anticipated by
25 Hidary and withdrawal of the rejection is respectfully requested.

1 Claims 57-59 depend either directly or indirectly from Claim 56 and are
2 allowable as depending from an allowable base claim. These claims are also
3 allowable for their own recited features which, in combination with those recited
4 in Claim 56, are neither shown nor suggested in the references of record, either
5 singly or in combination with one another.

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7 35 U.S.C. §102(e)

8 Claims 56-59 and 66-68 are rejected under 35 U.S.C. §102(e) as being
9 anticipated by U.S. Patent No. 5,848352 to Dougherty et al. (hereinafter
10 "Dougherty"). Applicant respectfully traverses the rejection.

11 Claim 56 recites a method for enhancing a continuous video content
12 program with supplemental hyperlink content to provide viewer interactivity with
13 the video content program which includes "dynamically changing the display
14 layouts of the supplemental hyperlink content and the video content program in
15 response to the viewer selection". The Office asserts that "the definitions,
16 commands, scripts and data which are used to produce a graphical user interface
17 (see Column 6, Lines 1-8) teaches the data which is encoded (into the VBI at
18 Column 7, Lines 23-51) to provided [sic] the functionality to dynamically change
19 the display layout (see Column 5, Lines 55-58)". *Office Action Dated December*
20 *29, 2004, Page 3.* The portions excerpted by the Office as reproduced as follows:

21 Graphical interactive information is communicated to the user
22 by broadcasting graphical interactive information system
23 applications. A graphical interactive information system
24 application is a set of definitions, commands, scripts and data
25 which may be used to produce a graphical user interface,
determine how a user may control the graphical interactive
information system application and external devices and

control and define response information. *Dougherty, Col. 6, Lines 1-8.*

When the user indicates a selection by pressing a remote control key corresponding to a button 118, 124, a new form may be displayed containing additional information relating to the indicated selection. *Dougherty, Col. 5, Lines 55-58.*

As shown in the above excerpt, although the graphical interact information may be used to produce a graphical user interface, Dougherty does not suggest "dynamically changing the display layouts", in which "multiple display layouts ... [each prescribe] how the supplemental hyperlink content and the video content program are to appear in relation to one another when displayed" as recited in Claim 56. (*emphasis added*). In other words, Dougherty describes the layout of information within the graphical interactive information system application form 116, but not multiple display layouts of the graphical interactive information system application form 116 in relation to the broadcast. For example, Dougherty describes if "during the broadcast program a second candidate follows the first candidate 114, an identical form 116 may be displayed". *Dougherty, Col. 5, Lines 65-66.* Therefore, contrary to the Office's assertion, Dougherty does not disclose that "if a new form is displayed according to the definitions, commands, scripts and data used to display the graphical user interface a new portion of a graphical user interface is defined". *Office Action Dated December 29, 2004, Page 3.* Dougherty makes no mention whatsoever of a change to the "form", and therefore a *prima facie* case of anticipation has not been established. Withdrawal of the rejection is respectfully requested.

Claims 57-59 and 62-65 depend either directly or indirectly from claim 56 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those

1 recited in claim 56, are neither shown nor suggested in the references of record,
2 either singly or in combination with one another.

3 **Claim 68** has been amended, and as amended [portions of the amendment
4 appear in bold italics below] is directed to a computer-readable storage medium
5 containing a target resource, the target resource comprising:

- 6 • supplemental content for rendering to a viewer to supplement
viewing of a continuous, non-interactive video stream;
- 7 • one or more elements prescribing ***multiple display layouts of*** how
8 the supplemental content is to be rendered along with, and relative
to, the video stream.

9 Neither Dougherty, nor any of the other submitted references, alone or in
10 combination, disclose, teach or suggest "multiple display layouts" as claimed in
11 Claim 68. As previously described in relation to Claim 56, although Dougherty
12 describes the layout within a graphical interactive information system application
13 form 116, Dougherty does not disclose multiple different graphical interactive
14 information system application forms 116 as related to a broadcast. Accordingly,
15 Claim 68 is allowable as amended and withdrawal of the rejection is respectfully
16 requested.

17 **Claim 69** depends directly from claim 68 and is allowable as depending
18 from an allowable base claim. This claim is also allowable for its own recited
19 features which, in combination with those recited in claim 68, are neither shown
20 nor suggested in the references of record, either singly or in combination with one
21 another.
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1 **35 U.S.C. §103(a)**

2 Claims 60-65 and 69 are rejected under 35 U.S.C. §103(a) as being
3 unpatentable over Dougherty in view of U.S. Patent No. 5,848,352 to
4 Throckmorton et al. (hereinafter "Throckmorton"). The Applicant respectfully
5 traverses the rejection.

6 Claim 60 has been amended, and as amended [portions of the amendment
7 appear in bold italics below] recites a method for enhancing a continuous video
8 content program with supplemental hyperlink content to provide viewer
9 interactivity with the video content program, comprising the following steps:

- 10 • configuring digital data which defines a display layout prescribing
11 how the supplemental hyperlink content and the video content
12 program are to appear in relation to one another when displayed;
13 • transmitting the digital data along with the video content program as
14 two separate signals *from two separate sources*; and
15 • displaying the supplemental hyperlink content and the video content
16 program according to the display layout.

17 Neither Dougherty nor Throckmorton, alone or in combination, disclose, teach or
18 suggest these aspects. The Applicant has amended Claim 60 to recite that the two
19 separate signals are from two separate sources, which is not disclosed, taught or
20 suggested by Dougherty or Throckmorton, alone or in combination. Accordingly,
21 for at least these reasons, this claim is allowable.

22 Claim 61 depends directly from claim 60 and is allowable as depending
23 from an allowable base claim. This claim is also allowable for its own recited
24 features which, in combination with those recited in claim 60, are neither shown
25 nor suggested in the references of record, either singly or in combination with one
26 another.

1 **Claims 62-65** depend directly or indirectly from claim 56 and are allowable
2 as depending from an allowable base claim. These claims are also allowable for
3 their own recited features which, in combination with those recited in claim 56,
4 are neither shown nor suggested in the references of record, either singly or in
5 combination with one another.

6 **Claim 61** depends directly from claim 60 and is allowable as depending
7 from an allowable base claim. This claim is also allowable for its own recited
8 features which, in combination with those recited in claim 60, are neither shown
9 nor suggested in the references of record, either singly or in combination with one
10 another.

11 **Claim 69** depends directly from claim 68 and is allowable as depending
12 from an allowable base claim. This claim is also allowable for its own recited
13 features which, in combination with those recited in claim 68, are neither shown
14 nor suggested in the references of record, either singly or in combination with one
15 another.

Conclusion

Claims 56-66 and 68-69 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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